

MDP – 2014 Legislative Session Final Report

Departmental Bills:

HB 346 - Maryland Historical Trust - Review of Capital Projects - Duties of Director - PASSED

HB 346 clarifies and codifies that the role of the Director of the Historical Trust in the review of projects involving permits, licenses, or financial assistance issued by a State unit is the same as the Director's role in the review of capital projects undertaken by a State unit of non-state capital projects financed with general obligation bonds, and of federal undertakings.

Since the 1985 implementation of Sections 5A-325 and 5A-326 of the State Finance and Procurement Article of the Maryland Annotated Code, it has been the consistent practice of the Board of Trustees of the Maryland Historical Trust that the Trust's duties to review, consult, and make determinations with respect to capital projects affecting historic properties, as prescribed in Sections 5A-325 and 5A-326 of the Act, are to be carried out by the Director of the Trust. Poor drafting of the statute, however, does not make that clear. This bill remedies that issue.

HB 510 – Sustainable Communities Tax Credit Program – Extension and Alteration – PASSED

HB 510 reauthorizes the Sustainable Communities Tax Credit for three additional years, and creates a Small Commercial Tax credit similar to the owner-occupied residential tax credit; the new credit is limited to historic rehabilitations in Sustainable Communities, and is capped at \$50,000 per project, for projects with total rehabilitation expenditures of less than \$500,000. This small business credit will be available in Fiscal years 2016 & 2017, and will be capped at \$4 million over 2 years of the program. In addition, amendments added by the House changed the percentage of commercial tax credits that can be awarded to any single jurisdiction from 75% to 60%, and added language requiring MDP and MHT to conduct outreach within jurisdictions where the tax credit has not been widely used.

In addition, HB 510 made several "Housekeeping" changes to the current program, including: prohibiting commercial applicants from applying for the credit for three future fiscal years if they failed to pay the fee by the statutorily required deadline, requiring documentation of ownership or site control for commercial projects to be eligible for the program; requiring a minimum fee for a Part 2 application; providing a time limit for approval of the extra 5% for high performance buildings because certification lags behind the historic certification; abolishing the 10% commercial credit for non-historic structures in Sustainable Communities, and including provisions for project cancelation for nonperforming projects.

Successfully Supported Bills:

HB 404 - Department of Health and Mental Hygiene - State Facilities – Cemeteries – PASSED with MDP Amendments

HB 404 requires that a cemetery owned by the State and located on the grounds of a State facility, specifically including the former Rosewood and Crownsville State Hospitals, be provided perpetual care. The bill also requires DHMH to report annually on the implementation of specified provisions to legislative committees. MDP offered amendments that were accepted by the sponsor and the House committee, to require that specified activities or projects be undertaken in consultation with the Maryland Historical Trust.

HB451 - Neighborhood Business Development Program - Financial Assistance for Food Deserts - PASSED

HB 451 authorizes the Neighborhood Business Development Program to help establish small businesses and other food-related enterprises in food deserts. It authorizes the Program to provide financial assistance to projects in food deserts, and allows the Secretary of DHCD to designate a food desert based on specified factors. The bill also creates an Interagency Food Desert Advisory Committee, on which MDP will serve, and requires annual reporting by DHCD on financial awards, funded activities and their locations under this law.

HB 794 & SB 794 establishes the Maryland Unaccompanied Homeless Youth and Young Adult Count Demonstration Project, to be undertaken in six jurisdictions and overseen by the DHCD. The bill requires DHCD to contract with a coordinating entity to determine the number and characteristics of unaccompanied homeless youth and young adults, and specifies collaborating activities to be undertaken by MDP. As introduced, MDP was designated the lead agency for the demonstration project. MDP worked with the sponsor and DHCD to amend the bill language to ensure MDP's role was appropriate to the agency's mission and capabilities.

SB 71 - Maryland Agricultural Land Preservation Foundation - Value of Easement - PASSED

SB 71 prohibits the Maryland Agricultural Land Preservation Foundation (MALPF) from purchasing an agricultural land preservation easement for more than 75% or less than 25% of the fair market value of the land, except in cases where the asking price is less than 25% of the fair market value of the land.

SB 605 - Property Tax Credit - Commercial Structures – Rehabilitation – PASSED with Amendment

SB 605 authorizes a local government to provide a property tax credit against the county or municipal property tax on an existing commercial structure to which specific improvements are made, such as ADA accessibility or conformance with updated fire codes, that would allow for the adaptive reuse of the structure.